

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LARRY RICHARDS, et al.,

Plaintiffs,

v.

UNITED DOMINION REALTY TRUST,  
INC., et al.,

Defendants.

Case No. 19-cv-08100-SI

**ORDER OF DISMISSAL AND  
DENYING MOTION FOR  
ENLARGEMENT OF TIME AS MOOT**

Re: Dkt. No. 11

On January 21, 2020, the Court granted plaintiff Larry Richards's application to proceed *in forma pauperis* ("IFP"). Dkt. No. 10. Because the complaint failed section 1915 review, the Court instructed plaintiff to file an amended complaint including additional facts in support of his claims no later than by February 14, 2020. *Id.* The Court cautioned plaintiff that failure to amend the complaint by the deadline would result in dismissal of the action. *Id.* Plaintiff Larry Richards did not file an amended complaint, and the deadline to do so has passed. However, on February 10, 2020, plaintiff Richards filed a motion for a 30 day extension of time to serve defendants with process. Dkt. No. 11.


As to plaintiff Fantasia Brown, the Court noted that as of January 21, 2020 she had neither paid the filing fee nor applied to proceed IFP. Dkt. No. 10. As such, the Court ordered Ms. Brown to either pay the filing fee or apply to proceed IFP by January 31, 2020. *Id.* The Court indicated that if Ms. Brown neither qualified to proceed IFP nor paid the filing fee by that time, she would be dismissed without prejudice from the action. *Id.* Ms. Brown neither applied to proceed IFP nor paid the filing fee, and the deadline to do so has passed.

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For the foregoing reasons, this action is DISMISSED without prejudice. Considering the above dismissal without prejudice, the Court DENIES as MOOT plaintiff's *ex parte* motion for a 30-day enlargement of time to serve defendants. Dkt. No. 11.

**IT IS SO ORDERED.**

Dated: February 28, 2020

  
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SUSAN ILLSTON  
United States District Judge